

Notice of Allowability

Application No.

09/657,213

Examiner

Thomas D. Lee

Applicant(s)

HAYAMA ET AL.

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 30 July 2004.
2. ☒ The allowed claim(s) is/are 1,3-11 and 13-44.
3. ☒ The drawings filed on 07 September 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Allowable Subject Matter

1. Claims 1, 3-11 and 13-44 are allowed.
2. The following is an examiner's statement of reasons for allowance: Regarding claims 1, 3-11 and 13-20, applicant's argument that the methods of claims 2 (now canceled, limitations incorporated into base claim 1) and 3 (base claim) do not involve an arbitrary choice of a second color (see remarks on page 15, line 24 – page 16, line 6 of applicant's response) is deemed persuasive. The cited prior art references do not disclose or suggest "wherein said predetermined second default color used when an image of said background is a plain image which is achromatic or unicolored, or a background pattern image with a predetermined background pattern of a predetermined color provided on said plain image, is a transparent color which is assimilated with said background, and set to said character color," as recited in base claims 1 and 11, or "wherein said predetermined second default color used when an image of said background is a background pattern image having a predetermined background pattern of a predetermined color provided on a plain image which is achromatic or unicolored, is a color identical to a color of said plain image," as recited in base claims 3 and 13.

As for claims 21-44, no prior art has been found to disclose or suggest the step of changing setting colors for character, background and decorative portions for limited-color output, when the decorated character image is to be subjected to limited-color output at a resolution lower than a resolution of said decorated character image as created, as recited in base claims 21 and 33.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 5,200,739 (Eland) discloses a character generator for displaying characters with a shadow on a display screen.

U.S. Patent 5,206,719 (Ikeda et al.) discloses an image processing apparatus including means for extracting an outline.

U.S. Patent 5,563,713 (Sugiura) discloses an image processing method and apparatus that adds a white outline to an outline of a character image.

U.S. Patent 5,691,827 (Kamei et al.) discloses an image processing apparatus for converting a color image into a pattern image.

U.S. Patent 5,760,929 (Ichikawa et al.) discloses an image processing apparatus for processing discriminated color regions within specified boundaries.

U.S. Patent 6,169,607 (Harrington) discloses a method for printing black and white reproducible colored test documents.

U.S. Patent 6,314,213 (Miyahara et al.) discloses an image processing apparatus and method that processes an image on the basis of a direction of a document.

U.S. Patent 6,600,832 (Nakayama et al.) discloses an image processing method and apparatus including replacing color image input data with achromatic data.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas D. Lee whose telephone number is (703) 305-4870. The examiner can normally be reached on Monday-Friday (7:30-5:00), alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (703) 308-7452. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Thomas D. Lee
Primary Examiner
Art Unit 2624

tdl
February 4, 2005